IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6505 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

RAMESHBHAI K PHADKE

Versus

ADDL. CHIEF SECRETARY

Appearance:

MR PJ PATEL for Petitioner

MS MANISHA LAVKUMAR for Respondents No.1, 2, 3, 4

None present for other Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 04/07/2000

ORAL JUDGEMENT

Heard the learned counsel for the parties.

Learned counsel for the petitioner, on the last date, had brought the original Raksha medal which has

been given to the petitioner for his services in the Pakistan war. A certificate which has been issued by the Secretary, Soldiers' and Sailors' Board has also been shown wherefrom it comes out that for active participation of the petitioner in the Pakistan war he has been given this Raksha medal.

In the presence of these two materials, I consider it to be appropriate and in the interest of justice to dispose of this petition with a direction to the Additional Chief Secretary, Revenue Department, State of Gujarat to consider the claim of the petitioner for giving him the land after considering the Raksha Medal and the certificate which has been given to him by the Secretary, Soldiers' and Sailors' Board. The petitioner to send a zerox copy of the Raksha medal duly attested by his advocate and the certificate of the Secretary, Soldiers' and Sailors' Board to the Additional Chief Secretary along with the copy of this judgment. It is open to the Additional Chief secretary for his satisfaction to call the petitioner to show the original Raksha medal. This matter has to be decided by the Additional Chief Secretary within a period of 15 days from the date of receipt of copy of this order and the copies of the Raksha medal and the certificate which has been issued to the petitioner by the Secretary, Soldiers' and Sailors' Board from the petitioner. Still if the Additional Chief Secretary decides that the petitioner is not entitled for the land then a reasoned order may be passed and copy of the same may be sent to the petitioner by registered post A.D.. Liberty is granted to the petitioner for revival of this special civil application in case of difficulty. The special civil application and Rule stand disposed of accordingly with no order as to costs.

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zgs/-